

Message Text

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ACTION L-03

INFO OCT-01 IO-10 ISO-00 AF-06 ARA-10 EA-09 EUR-12 NEA-10

CIAE-00 DODE-00 PM-04 H-02 INR-07 NSAE-00 NSC-05

PA-02 PRS-01 SP-02 SS-15 USIA-15 DHA-02 ORM-02 SCA-01

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TO SECSTATE WASHDC 3589

UNCLAS USUN 5606

E.O. 11652: NA

TAGS: UN, PFOR

SUBJ: UNGA LEGAL COMITE: QUESTION OF DIPLOMATIC ASYLUM(DA)

SUMMARY: DEBATE ON ITEM CONTINUED WITH INTERVENTION BY US, TURKEY, HUNGARY, COLOMBIA, YEMEN, UKRAINE, BRAZIL, DAHOMEY, AUSTRIA, NIGERA, GHANA, CZECHOSLOVAKIA AND BOLIVIA. END SUMMARY.

1. US DEL STATEMENT(TEXT POUCHED L/UNA MATHESON) RECAPITULATED IN LOW KEY MANNER US VIEW THAT DA IS REGIONAL PRACTICE NOT PART OF INTERNATIONAL LAW; NOTED LAUTERPACHT'S LUCID, COMPREHENSIVE AND FRANK INTRODUCTION OF ITEM; THANKED SECRETARIAT FOR ITS EXCELLENT REPORT; AND EMPHASIZED THAT US SHARES HUMANITARIAN CONCERNS WHICH MOTIVATED AUSTRALIA TO BRING ITEM BEFORE 29TH FA.

2. POSITIONS OF OTHER DELS WERE GENERALLY DIVIDED AMONG (A) THOSE WHO STRONGLY SUPPORTED LATIN AMERICAN DA PRACTICE AND BELIEVED THAT IT SHOULD NOT BE APPLICABLE UNIVERSALLY (COLOMBIA, BOLIVA AND BRAZIL); (B) THOSE WHO, WHILE ACKNOWLEDGING HUMANITARIAN BENEFITS OF ITS APPLICATION, EMPHASIZED POINT OF VIEW THAT PRACTICE OF DA CONFLICTS WITH INTERNATIONAL LAW: (HUNGARY, UKRAINE, CZECHOSLOVAKIA, USSR, INDIA, CANADA: AND (C) THOSE WHO APPLAUDED ITS HUMANITARIAN USES IN EMERGENCIES BUT BELIEVED CODIFICATION OF AN INTERNATIONAL INSTRUMENT WOULD

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CAUSE STATES TO TAKE ENTRENCHED LEGAL POSITIONS(E.G., ON

PROPER PURPOSE OF DIPLOMATIC AND CONSULAR MISSIONS) AND THUS
RESULT IN DIMINISHED USE OF THE PRACTICE: TURKEY, AUSTRIA,
UK, CAMEROON.
MOYNIHAN

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Message Attributes

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TAGS: PFOR, UN
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Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006